

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CARLOS COLLADO, et al.

v.

TOYOTA MOTOR SALES, U.S.A., INC.

ELLIOT FIXLER

v.

TOYOTA MOTOR SALES, U.S.A., INC.

Case Nos. 2:10-cv-3113-R-RC  
2:10-cv-03124-R-SS

Assigned to Judge Manuel L. Real

**ORDER AWARDING ATTORNEYS'  
FEES AND COSTS**

Complaint Filed: December 9, 2009  
Trial Date: Not Set

1       1. This matter came before the Court on Girard Gibbs LLP's (Dkt. #233),  
 2 Wasserman, Comden, Casselman & Esensten L.L.P.'s (Dkt. #236), Cohen Milstein  
 3 Sellers & Toll PLLC's (*Fixler* Dkt. #55), and Initiative Legal Group APC's (Dkt. #248)  
 4 (collectively, and together with Arias, Ozello & Gignac LLP, "Class Counsel") Renewed  
 5 Motions for Attorney's Fees and Costs ("Renewed Motions") made on behalf of the  
 6 named Plaintiffs.

7       2. On April 4, 2014, the parties filed a stipulation wherein Defendant Toyota  
 8 Motor Sales, U.S.A. ("Toyota"), Inc. agreed not to contest a total award of attorneys' fees  
 9 and costs to the collective group of Class Counsel in the amount of \$855,000, and Class  
 10 Counsel amended their Renewed Motions such that Class Counsel, on the named  
 11 Plaintiffs' behalf, requested that the Court award them a collective total of \$855,000 in  
 12 fees and costs (the "Stipulation;" *See* Dkt. #261.)

13      3. By prior order, the Court found that the parties' Settlement Agreement  
 14 provides the settlement class substantial relief and that the settlement is fair, adequate,  
 15 and reasonable. (Dkt. #190 at 1-3.) Class Counsel now seek an award of attorneys' fees  
 16 and costs from Toyota, pursuant to the Consumers Legal Remedies Act, Civ. Code §  
 17 1780(e), and/or pursuant to California's private attorney general statute, Code. Civ. Proc.  
 18 § 1021.5.

19      4. The Court exercises diversity jurisdiction over this action pursuant to 28  
 20 U.S.C. § 1332. Class Counsel's right to an award of attorneys' fees and costs, as well as  
 21 the method of calculating the amount of that award, is governed by California law. (Dkt.  
 22 #229 at 3, December 19, 2013 Ninth Circuit Order.)

23      5. The Court applies California's lodestar method to calculate the appropriate  
 24 attorneys' fees to be awarded to Class Counsel. (*See* Dkt. #229 at 4 (December 19, 2013  
 25 Ninth Circuit Order). The Court has reviewed Class Counsel's submissions supporting  
 26 their requested lodestars and finds that the requested fee and cost award of \$855,000 is  
 27 reasonable and supported by the record evidence submitted by Class Counsel on their  
 28 Renewed Motions.

1       6. The Court therefore awards Class Counsel a total award of attorneys' fees  
2 and costs in this action in the amount of \$855,000.

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4 **IT IS SO ORDERED.**

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6 Dated: April 14, 2014



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8 Hon. Manuel L. Real  
9 United States District Court Judge  
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